

Message Text

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SUBJ: PNG COMMUNICATIONS WITH U.S. TRUST TERRITORIES

REF: 75 PORT MORESBY 1261, 75 STATE 300288

1. GOVERNMENT OF PAPUA NEW GUINEA UNDERSTANDS GENERAL PROCEDURES WHICH SHOULD BE FOLLOWED RE COMMUNICATIONS BETWEEN GOVERNMENT OF PAPUA NEW GUINEA AND OFFICIALS OF U.S. TERRITORIES BUT DESIRES CLARIFICATION ISSUES IN BELOW TEXT OF LATEST DFRT LETTER ON SUBJECT.
2. "THE QUESTION CONCERNS THE PARTICIPATION BY REPRESENTATIVES OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS IN THE LAW OF THE SEA CONFERENCE AND ASSOCIATED NEGOTIATIONS. BEFORE THE LAST SESSION OF THE CONFERENCE AT GENEVA THE TRUST TERRITORY HAD GAINED OBSERVER STATUS AT THE CONFERENCE ALONG WITH PAPUA NEW GUINEA AND CERTAIN OTHER TERRITORIES NOT YET INDEPENDENT. REPRESENTATIVES OF PAPUA NEW GUINEA GOVERNMENT HAD A NUMBER OF INFORMAL CONSULTATIONS WITH REPRESENTATIVES OF THE TRUST TERRITORY ON MATTERS OF COMMON CONCERN.
3. "THE REPRESENTATIVE OF PAPUA NEW GUINEA GAINED A DISTINCT IMPRESSION IN THE COURSE OF THESE DISCUSSIONS WITH THE REPRESENTATIVES OF THE TRUST TERRITORY THAT THEY DERIVED THEIR INSTRUCTIONS FROM THE CONGRESS OF MICRONESIA, WHICH WAS A POLICY FORMING BODY REPRESENTING THE PEOPLE OF MICRONESIA, WHICH HAD AUTHORITY TO ACT IN RELATION TO THE LAW OF THE SEA INDEPENDENTLY OF THE OFFICIAL REPRESENTATIVES OF THE U.S. GOVERNMENT. THE TRUST TERRITORY REPRESENTATIVES DID REQUEST

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THAT ANY COMMUNICATIONS INTENDED FOR THEM IN RELATION TO THE

LAW OF SEA SHOULD BE ADDRESSED DIRECTLY TO THE CONGRESS OF
MICRONESIA AND NOT THROUGH DIPLOMATIC CHANNELS.

4. "PAPUA NEW GUINEA REPRESENTATIVES AT THAT MEETING ALSO
GAINED A DISTINCT IMPRESSION THAT THE TRUST TERRITORY'S DIRECT
PARTICIPATION IN THE CONFERENCE AND THE ARRANGEMENT WITH REGARD
TO CORRESPONDENCE WAS PURSUANT TO AN EXPRESS UNDERSTANDING WITH
WASHINGTON AUTHORITIES. SINCE THE GENEVA SESSION THERE HAS
BEEN NO COMMUNICATION BETWEEN REPRESENTATIVES OF THIS GOVERNMENT
AND THE TRUST TERRITORY. HOWEVER, TRUST TERRITORY REPRESENTATIVES
RECENTLY ATTENDED A MEETING OF THE OCEANIA GROUP IN TONGAM
PAPUA NEW GUINEA IS A MEMBER OF THE OCEANIA GROUP BUT WAS
PREVENTED BY CIRCUMSTANCES FROM ATTENDING THE MEETING. I NOW
UNDERSTAND THAT TRUST TERRITORY REPRESENTATIVES DESIRE TO DISCUSS
CERTAIN MATTERS ARISING OUT OF THAT MEETING WITH PAPUA NEW GUINEA
OFFICIALS FOLLOWING ON THE CONSULTATIONS AT GENEVA. THIS WOULD
HAVE BEEN A NATURAL STEP FOR PAPUA NEW GUINEA IN PREPARATION
FOR THE NEW YORK SESSION OF THE CONFERENCE.

5. "THE PAPUA NEW GUINEA GOVERNMENT WOULD NOT WISH TO
COMMUNICATE IN ANY WAY DIRECTLY WITH THE TRUST TERRITORY IF THIS
COURSE IS CONTRARY TO THE WISHES OF THE U.S. GOVERNMENT AS
YOUR NOTE INDICATES MIGHT BE THE CASE. HOWEVER, IT MIGHT BE
THAT THE CONGRESS OF MICRONESIA HAS, IN FACT, BEEN GIVEN SOME
MEASURES OF AUTONOMY IN RELATION TO THE LAW OF THE SEA CONFERENCE
BY THE U.S. GOVERNMENT, AND FACT REMAINS THAT THE TRUST TERRITORY
IS RECOGNISED AS A PARTICIPANT IN ITS OWN RIGHT AT THE
CONFERENCE WITH OBSERVER STATUS.

6. "THIS DEPARTMENT WOULD THEREFORE, LIKE TO OBTAIN A
CLARIFICATION OF THE CONTENTS OF YOUR NOTE ON THIS PARTICULAR
POINT WITH REGARD TO DEALING WITH TRUST TERRITORY REPRESENTATIVES
ON MATTERS RELATING TO THE LAW OF THE SEA CONFERENCE:

(A) BY CORRESPONDENCE BETWEEN SESSIONS OF THE CONFERENCE;

(B) IN CONSULTATIONS BETWEEN SESSIONS OF THE CONFERENCE; AND

(C) AT THE CONFERENCE ITSELF."

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7. PLEASE ADVISE.
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